

EXPRESS MAIL CERTIFICATE

6/19/03 2349695173-US
Date Label No.

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Name (Print)

Signature

Customer No.:

Dkt. No. 1142/1E489US3



07278

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven Baranowitz

Serial No.: NOT YET ASSIGNED

Filed: CONCURRENTLY HERewith

For: METHODS FOR TRANSDIFFERENTIATION OF BODY TISSUES

June 19, 2003

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed: (Check one of the boxes A-D)

☒ A. Within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☐ B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.

☐ C. after (A) and (B) above, but before the mailing date of a final rejection, a notice of allowance, or any other action that closes prosecution, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

☐ i. Counsel states that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☐ ii. A check for the fee set forth in 1. 17(p), presently believed to be \$180, is enclosed.

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Counsel states that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☐ i. A check for the fee set forth in 1.17 (p), presently believed to be \$180, is enclosed.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for

Docket No. 1142/1E489US3

consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

- ☐ A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- ☒ B. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

U.S. Patent Appln. No. **09/856,881**, filed **May 24, 2001**

Applicant Identifies these documents by attaching hereto copies of the forms PTO-892 and PTO- 1449 from the files of the prior application(s) or a fresh PTO- 1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

☐ 3. Document Nos. _____ are not in the English language. In accordance with 1.98(c), Applicant states:

- ☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application is enclosed.
- ☐ A concise explanation of the relevance of document(s) _____ is found in the attached search report (see MPEP § 609 A(3)x).
- ☐ A concise explanation of the relevance of document(s) _____ is set forth as follows: [Insert concise explanation of relevance]
- ☐ A concise explanation of the relevance of document(s) _____ can be found on pages _____ of the specification.
- ☐ A concise explanation of document(s) _____ can be found on the attached sheet.

Docket No. 1142/1E489US3

[] 4. No explanation of relevance is necessary for documents in the English language (see MPEP § 609 A(3)).

[] 5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of' the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

(1) U.S. Patent Application Serial No _____, filed _____.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,



Howard M. Frankfort
Registration No. 32,613
Agent for Applicant(s)

DARBY & DARBY P.C.
805 Third Avenue
New York, N.Y. 10022
(212) 527-7700

Docket No. 1142/1E489US3

Notice of References Cited	Applicant/Patent Baranowitz	Application/Control No. 09/856,881	
	Examiner Russell Travers	Art Unit 1617	Page 1 of 2

U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Name	Classification ²
A				
B				
C				
D				
E				
F				
G				
H				
I				
J				
K				
L				
M				

FOREIGN PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Country	Name	Classification ²
N					
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Bittrich et al, 119CA:43146, 1993
V	Itoh et al, 127CA:247426, 1997
W	Ju et al, 121CA:153711, 1994
X	Sherman et al, 120CA:125468, 1993

* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a). ¹ Dates in MM-YYYY format are publication dates. ² Classifications may be U.S. or foreign.

Notice of References Cited	Applicant/Patent Baranowitz	Application/Control No. 09/856,881	
	Examiner Russell Travers	Art Unit 1617	Page 2 of 2

U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Name	Classification ²
A				
B				
C				
D				
E				
F				
G				
H				
I				
J				
K				
L				
M				

FOREIGN PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Country	Name	Classification ²
N					
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Baer et al, 131CA:142611, 1999
V	
W	
X	

* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

¹ Dates in MM-YYYY format are publication dates.

² Classifications may be U.S. or foreign.

LIST OF REFERENCES CITED BY APPLICANT

(Use Several Sheets if Necessary)

DOCKET NO.: 1142/1E489-US1

SERIAL NO: t/b/a

APPLICANT: Steven BARANOWITZ

FILING DATE: Concurrently Herewith

U.S. PATENT DOCUMENTS

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>NAME</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>FILING DATE</u>
5	1. 6,087,168	Jul. 11, 2000	Levesque et al.	435	345	Jan. 20, 1999

FOREIGN PATENT DOCUMENTS

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>COUNTRY</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>TRANSLATION YES NO</u>
-------------------------------	----------------------------	-------------	----------------	--------------	-----------------	-------------------------------

OTHER REFERENCES**(INCLUDING AUTHOR, TITLE DATE, PERTINENT PAGES, ETC.)*****EXAMINER
INITIALS**

- 5 2. NOJI, S., et al., "Retinoic Acid Induces Polarizing Activity But is Unlikely to be a Morphogen in the Chick Limb Bud", *Nature*, Vol. 350, pp. 83-86 (1991)
- 5 3. TABIN, C.J., "Retinoids, Homeoboxes and Growth Factors: Toward Molecular Models for Limb Development", *Cell*, Vol. 66, pp. 199-217 (1991)
- 5 4. WANEK, N., et al., "Conversion by Retinoic Acid of Anterior Cells Into ZPA Cells in the Chick Wing Bud", *Nature*, Vol. 350, pp. 81-83 (1991)

EXAMINER: 113 DATE CONSIDERED: 2/20/01

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. (D&D Forms/PTO-17)1